

JOHN B. BOGGS.

JUNE 7, 1898.—Ordered to be printed.

MR. GALLINGER, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 4635.]

The Committee on Pensions, to whom was referred the bill (S. 4635) granting a pension to John B. Boggs, Olney, Ill., have examined the same and report:

The following decision, rendered by Hon. Webster Davis, Assistant Secretary of the Interior, covers the material facts in this case:

DEPARTMENT OF THE INTERIOR,  
*Washington, December 7, 1897.*

[Docket No. 34288. Claim for increase of pension under the general law, certificate No. 294593, of John B. Boggs, late private, Company A, Sixteenth Illinois Volunteer Infantry. On appeal. Rejection affirmed.]

The present rating of this pensioner is shown to be adequate for his existing disability due to the accepted and pensioned causes.

SIR: This appellant is a pensioner under the provisions of the general law at the rate of \$16 per month for sciatica of left thigh and disease of skin, and on December 26, 1896, he filed in your Bureau an application for an increase of said pension, based on the pensioned causes and alleged resulting rheumatism, which was rejected on May 21, 1897, upon the ground that he was then adequately rated for his existing disability shown to be due thereto, alleged results not being accepted. From said action appeal was taken on June 5, 1897.

Appellant was medically examined under said application for increase by the board of surgeons at Olney, Ill., on April 7, 1897, who certify and describe his physical condition and existing disability as found by them as follows:

"Upon examination we find the following objective conditions: Pulse rate, 64; respiration, 16; temperature, 98.2; height, 5 feet 8½ inches; weight, 150 pounds; age, 56 years. General appearance somewhat below the average. Body fairly well nourished. Skin sallow. Muscles soft. Hands soft. Right shoulder 1 inch lower than left. Left lateral curvature of spine in dorsal region. Inspiration, 36½; expiration, 35½; at rest, 36. Vesicular murmur somewhat harsh on inspiration in upper mammary and infra scapular regions; otherwise normal. Percussion resonance normal. Apex beat at fifth intercostal space 3 inches to left of median line. Cardiac dullness extends from base of third rib to sixth intercostal space, and from one-half inch to right to 3½ left of median line. There is a well-defined valvular murmur synchronous with first sound heard at apex. There is hypertrophy of left side of heart. Action of heart somewhat irregular. No dilatation, oedema, or dyspnoea. Face and hands cyanosed. Pulse rate sitting 64, standing 76, after exercise 100. Crepitus in shoulders, elbows, hips, and knees. There is marked stiffness about joints of hands; also some of hips and knees. There is tenderness on motion about hip joints,

also some limitation of motion. There is varicocele of left cord and testicle, with atrophy of right testicle, which applicant states was caused by mumps. Tongue coated and fissured. Teeth exposed to near fangs. Pharynx pale. Uvula elongated. Liver and spleen normal in size. There is an ulceration of the right side of the organ and has extended on right eye, destroying the whole of the lower lid, and down on the structures of the eye, the ball being drawn up on upper lid, and is entirely immovable. The upper lid is stiff and can not be moved. The outer corner of right eye is drawn on account of some former ulceration, leaving a cicatricial condition. There is also a drawing up of the lower lid and corner of the mouth of the right side. There is some discharge about eye and around nose. There is a dry, scaly eruption over other portions of face and over head, and extending downward over upper portion of thorax. Applicant states that this trouble came on soon after being vaccinated while in the service. There is no evidence of venereal disease. This man's troubles are not caused by vicious habits. This man is unable to perform any manual labor. His trouble about his eye causes him much discomfort. The sight of left eye is fair. Hearing fairly good.

"No rating for sciatica, as we believe it due to rheumatism if any. Four-eightieths disease of skin; seventeen-eightieths loss of right eye; eighteen-eightieths ulceration of nose, result of disease of skin; six-eightieths rheumatism.

"We think this man's condition requires the aid of another person a portion of the time."

On June 28, 1897, this claim was submitted to the medical referee for his consideration and opinion, who replied on August 17, 1897, as follows:

"Soldier was pensioned for sciatica of left thigh and disease of skin at sixteen-eightieths, or \$16 per month, from July 17, 1889. He filed several applications for increase and results, and the same were rejected on the ground of there being no increase and the alleged results not being accepted as such. The last action was taken by this division May 21, 1897, denying increase, and rheumatism as a result was rejected, not being accepted as such. From this action the claimant appeals to the Department, contending that he was vaccinated in the service, that it took effect in the side, which never broke and discharged, but a hard cake gathered and after a good while disappeared; then finally a skin disease made its appearance, which trouble he was treated for until the close of the war; that he has been under treatment ever since, and the result is a slow malignant sore, which has been gaining all the time and now has taken away the right side of the nose and entirely destroyed the use of right eye; that he is totally disabled for all labor, has no other income to support a family and pay rent except his pension, and that he can not get an increase.

"After a careful consideration of all the testimony in the case in connection with the certificates of examination, I am of the opinion that the action of denying increase on account of the pensioned causes, viz, sciatica of left thigh and disease of skin, was correct and should be adhered to. The malignant growth on the face can not be accepted as resulting from or being caused by the pensioned disability, neither can it be accepted as of service cause."

After careful review and due consideration of the evidence, I concur in the foregoing medical opinion, and therefore the rejection of this claim upon the ground stated is held to have been without error, and is affirmed accordingly.

Very respectfully,

WEBSTER DAVIS, *Assistant Secretary.*

The COMMISSIONER OF PENSIONS.

The annexed statement and affidavits fully explain the present condition of the soldier, and also give light on the probable cause of his terrible physical sufferings:

STATE OF ILLINOIS, *Richland County, ss:*

Hon. WILLIAM MASON,

*United States Senator from Illinois, Washington, D. C.:*

Your petitioners, residents of the said county and State, beg respectfully to call your attention to the pension case of John B. Boggs, of Olney, in said county, late a private of Company A, Sixteenth Illinois Volunteer Infantry, and urge upon you to afford him relief by the passage of a special act of Congress giving him a pension commensurate with his disabilities, which seems to be denied him under the general law governing his case.

This soldier has recently returned from the Presbyterian Hospital of Chicago, where he was operated on for cancer of the nose, cheek, and orbit, and in which operation he lost the right eye. Coming home apparently much better, the disease from which he has suffered has broken out anew, and now threatens the destruction of the left eye also unless it can be arrested by medical aid.

The soldier has been a resident of Richland County a great many years, is a consistent church member, an exemplary citizen, and industrious man. His pittance of

\$16 per month does not leave him any margin for the purchase of medicine so necessary to prevent the fearful progress of the disease, and unless aid comes to him he will soon be totally blind and a charge upon the charity of his county or his friends.

We beg to call attention to the fact that his disease, attributed to vaccine poison, is in our judgment the result of the poisoning of the system by improper vaccination, and that while it might strictly be true that the cancerous condition and lupus was not a sequence of skin disease, for which soldier was pensioned, yet both of them, skin disease and lupus, are the direct results of the poisoning of the system by impure vaccine matter. We ask that you read the opinion of the Assistant Secretary and the certificates of the able physicians accompanying this petition and see if our conclusions are not reasonable.

This soldier should have at least \$30 per month. Money can not repay him for the torture he daily suffers from, but money may be used to eradicate the poison from his blood and give him a chance to earn a livelihood and at least to enjoy a few years in comparative comfort and peace.

We ask you as one of the ablest advocates of the old veterans of the civil war to see that this old soldier shall not be deprived by technicalities and hair-splitting medical decisions from the pension which we believe is justly due him under an equitable construction of the pension laws of our land. And we will ever pray.

H. G. MORRIS,  
*States Attorney of Richland County.*

A. F. PHILLIPS,  
*County Clerk.*

WILLIAM RHODE,  
*Deputy County Clerk.*

I have known the petitioner for past twenty-five years intimately, and have always found him a man of most excellent habits and honorable in every respect.

ADAM KNOPH, *Banker.*

I have known Mr. Boggs, your petitioner, for more than forty years past. He was a good soldier, is an exemplary citizen, and has for several years been a sufferer from a painful disease, unable to do anything to support his family, who are dependent on him.

WM. BOWER, *Druggist.*

R. GRAFFNER & Co., *Druggists.*

I have known Mr. Boggs, your petitioner, from boyhood, having been school-mates. Have been intimately acquainted with him for the last five years, and know that his condition has been very bad, and is still very bad, being entirely incapacitated from doing any kind of manual labor, or in fact work or business of any kind, and his family is entirely dependent on him for support.

H. H. KINGSBURY,  
*Senator Forty-fifth District.*

I indorse all the above statements.

ROBT. C. MORRIS, *Dentist.*

We, the undersigned, certify that we have known John B. Boggs for several years, and know him to be an honest and industrious man, an exemplary and sober Christian gentleman, and regard him as well worthy of an increase in his pension.

ALLEN & FRITCHEY,  
*Attorneys at Law.*

T. W. HUTCHINSON,  
*County Judge.*

H. B. ANDREWS,  
*Editor Advocate.*

Have known him for twenty years.

THOS. TIPPIT, *Editor Olney Times.*

Have known him for several years.

JAMES HOLLISTER,  
*County Treasurer.*

JAMES E. WHARF,  
*Ex-Mayor.*

R. N. STOTLER,  
*County Superintendent of Schools.*

JEFF M. WILLIAMS,  
*Sheriff of Richland County.*

E. MURRAY & SONS,  
*Merchants.*

STATE OF ILLINOIS, *County of Richland, ss:*

In the pension claim of John B. Boggs, late a private, Company A, Sixteenth Regiment Illinois Volunteer Infantry.

Personally came before me, a notary public in and for aforesaid county and State, Martin D. Foster, a resident of Olney, of the county of Richland, State of Illinois, who, being duly sworn, declares in relation to the aforesaid case as follows: That he has known the above-named applicant for the past ten years, and has treated him during two attacks of severe inflammatory rheumatism. These attacks come on quite severely at times, but he suffers from rheumatism all the time. The joints are stiffened and somewhat enlarged; motion is limited. He has had a disease of the skin for several years; in fact, to my knowledge, ever since my first acquaintance with him. This skin trouble is of the nature of psoriasis. There are numerous scaly spots over face, head, and upper portion of trunk. There has been lupus of right side of nose and right eye. This has destroyed the right eye. The eye was removed and orbit and side of nose covered with skin from forehead. The trouble is now reappearing on right side of face in the region of old trouble. The lupus was the primary trouble, and cancer appeared later, which attacked the face. This man is unable to do any manual labor and has been so disabled for years.

And he further declares that he has no interest in said case and he is not concerned in its prosecution.

MARTIN D. FOSTER.

Sworn to and subscribed before me this day, by the aforementioned affiant; and I hereby certify that the affiant is a practicing physician of good professional standing, and that I am in nowise interested, either directly or indirectly, in the prosecution of this claim; and I further certify that I read said affidavit to said affiant, and acquainted him with its contents before he executed the same.

Witness my hand and notarial seal this 11th day of May, 1898.

[SEAL.]

JOHN T. RATCLIFFE,  
*Notary Public.*

STATE OF ILLINOIS, *County of Richland, ss:*

In the pension claim of John B. Boggs, late a private, Company A, Sixteenth Regiment Illinois Volunteer Infantry.

Personally came before me, G. A. Keller, circuit clerk in and for aforesaid county and State, E. Rowland, a resident of Olney, of the county of Richland, State of Illinois, who, being duly sworn, declares in relation to the aforesaid case as follows:

I have known the above-named applicant since 1878, and was for some years his family physician. I most fully indorse the accompanying statement of Dr. M. D. Foster, which has been submitted for my inspection.

And he further declares that he has no interest in said case and he is not concerned in its prosecution.

E. ROWLAND,  
*Late First Assistant Surgeon,  
One hundred and twenty-seventh Regiment New York Volunteers.*

Sworn to and subscribed before me this day by the aforementioned affiant; and I hereby certify that the affiant is a practicing physician of good professional standing, and that I am in nowise interested, either directly or indirectly, in the prosecution of this claim; and I further certify that I read said affidavit to said affiant, and acquainted him with its contents before he executed the same.

Witness my hand and official seal this 12th day of May, 1898.

[SEAL.]

G. A. KELLER, *Circuit Clerk.*

I have known John Boggs four years. Have examined and treated him at various times for lupus. He had an operation performed this spring in which the right eye was removed, together with a vast amount of adjacent tissue, and the skin of the forehead brought down and closed over the wound, but with only temporary results, as the disease is reappearing around the edges of the wound and along right side of nose, and crosses over on left side soon to attack the other eye. His condition is such as to completely incapacitate him for the performance of any manual labor. In my estimation, if a soldier ever needed a larger pension this man certainly does, as it is plain that the above condition was contracted in service of his country.

And he further declares that he has no interest in said case and is not concerned in its prosecution.

W. E. FRITSCHLE.

Your committee are of opinion that there is reasonable ground for believing that the disease of the face, which has already resulted in the loss of one eye, soon to be followed by the loss of the other, is due to the skin disease contracted in the Army and for which soldier is pensioned. If that could be clearly established the soldier would be entitled to a much higher rate of pension than that named in the bill, to wit, \$30 per month.

Recognizing the extreme physical sufferings of the soldier, which must necessarily result in death in the near future, and the strong equities of the case, the passage of the bill is recommended, with an amendment to the title so as to read: "A bill granting an increase of pension to John B. Boggs."



